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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/911,670

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Bruce A. Willins

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EXAMINER

NGUYEN, TOAN D

ART UNIT

PAPER NUMBER

2616

NOTIFICATION DATE

DELIVERY MODE

06/02/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@ifllaw.com

Office Action Summary	Application No. 09/911,670	Applicant(s) WILLINS ET AL.	
	Examiner TOAN D. NGUYEN	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/29/08 has been entered.

Response to Arguments

2. Applicant's arguments filed 02/29/08 have been fully considered but they are not persuasive.

The applicant argues with respect to claims 1, 8 and 12 on page 8, third paragraph that Vij does not disclose "receiving, by an interface of the access point, the management communications from the host computer over a first connection," The examiner disagrees. In response, the examiner refers to the Office action, in section 4 rejection by Vij et al. below.

Furthermore, the applicant argues with respect to claim 1, 8 and 12, on page 9, that Vij does not disclose "when a communication failure between the host and the access point occurs over the first connection, a radio module of the access point receiving the management communications from a wireless terminal over a second connection, which is different from the first connection, using a second wireless communications protocol allow management of the access point. The examiner

disagrees. In response, the examiner refers to the rejection below with regarding the claims 1, 8 and 12 below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2 and 7-20 are rejected under 35 U.S.C. 102(e) as being participated by Vij et al. (US 6,452,910).

For claim 1, Vij et al. disclose bridging apparatus for interconnecting a wireless PAN and a wireless LAN, comprising:

receiving, by an interface of the access point (figure 6, reference Wireless Bridge), the management communications from the host computer (wireless vehicle or PDA) over a first connection (col. 6, lines 41-44); and

when a communication failure between the host (figure 6, reference wireless vehicle or PDA) and the access point (figure 6, reference Wireless Bridge) occurs over the first connection (col. 8, lines 59-60), a radio module of the access point (figure 6, reference Wireless Bridge) receiving the management communications from a wireless terminal over a second connection (col. 8, line 65 to col. 9, line 2), which is different

from the first connection, using a second wireless communications protocol (figure 7, col. 6, lines 64-67) allow management of the access point (col. 7, lines 14-22).

For claim 2, Vij et al. disclose further comprising at least one of configuring one or more resources of said access point and adjusting one or more parameters of said access point responsive to said received management communications (col. 8, lines 48-58).

For claim 7, Vij et al. disclose authenticating said management communications (col. 11, lines 5-6).

For claim 8, Vij et al. disclose bridging apparatus for interconnecting a wireless PAN and a wireless LAN, comprising:

a first interface (figure 6, reference Bluetooth I/F) for conducting data communications with one or more computers (figure 6, references wireless vehicle or PDA) adapted to provide management communications with the access point (col. 6, lines 48-51), and for receiving management communications from the one or more computers over a first connection (col. 6, lines 41-44);

a first radio module (figure 1, reference RF Comm Card, col. 4, line 20) using a first wireless communications protocol (Bluetooth protocol means) for wirelessly transmitting first data messages received from the one or more computers (wireless vehicle or PDA) at said first interface (figure 6, reference Bluetooth I/F) to mobile units (col. 6, lines 41-44) and for receiving second data messages from the mobile units and relaying the second data messages to the one or more computers via said first interface (figure 4, col. 5, lines 22-25);

at least one processor (figure 1, reference CPU) connected to the first interface and the radio module for controlling the access point (col. 4, lines 18-22); and

a second radio module (figure 1, reference WLAN Comm Card) operating using a second wireless communications protocol (WLAN protocol means), which is different from the first wireless communications protocol (Bluetooth Protocol means), for receiving the management communications from a wireless terminal over a second connection when a communication failure between the one or more computers and the access point occurs over the first connection (col. 8, line 65 to col. 9, line 2).

For claim 9, Vij et al. disclose wherein the second radio module is arranged to operate as a slave module using a master slave protocol (col.8, line 6).

For claim 10, Vij et al. disclose wherein the second radio module is arranged to operate as a slave module using a Bluetooth protocol (col.8, line 6).

For claim 11, Vij et al. disclose wherein said processor is further arranged to authenticate communications via said second radio module (col. 11, lines 4-6).

For claim 12, Vij et al. disclose bridging apparatus for interconnecting a wireless PAN and a wireless LAN, comprising:

a first radio module (figure 1, reference RF Comm Card, col. 4 line 20) adapted to provide data communications with mobile units (figure 6, references wireless vehicle or PDA) according to a first wireless communications protocol (Bluetooth protocol means)(col. 6, lines 41-44);

a second radio module (figure 1, reference WLAN Comm Card, col. 4, line 20) adapted to communicate with a wireless terminal (figure 6, reference vehicle or PDA,

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col. 6, lines 39-44) according to a second wireless communications protocol (WLAN protocol means), which is different from the first wireless communications protocol (figure 6, col. 6, lines 64-67); and

a processor (figure 1, reference CPU) communicatively coupled to the interface, the first radio module, and the second radio module, the processor adapted to:

provide data messages from the interface to the first radio module (col. 4, lines 18-22),

receive, via interface (figure 6, reference Bluetooth I/F), management communications from a remote computer (wireless vehicle or PDA means) that is adapted to provide the management communications to the apparatus (col. 7, lines 43-45), and when a communication failure between the remote computer and the apparatus occurs over the interface, to receive the management communications from the wireless terminal via the second radio module (col. 8, line 65 to col. 9, line 2).

For claim 13, Vij et al. disclose wherein the processor (figure 1, reference CPU) is adapted to allow data communications through the first radio module and to allow to management features through the second radio module (col. 6, lines 45-54).

For claim 14, Vij et al. disclose wherein the second radio module operates as a slave unit at least during a portion of the time the access to the management features is allowed (col. 8, line 6).

For claim 15, Vij et al. disclose wherein the processor is further adapted to authenticate communications associated with access of management features (col. 11, lines 1-6).

For claim 16, Vij et al. disclose wherein the first protocol is an 802.11 protocol and the second wireless communications protocol is a Bluetooth protocol (col. 3, line 50).

For claim 17, Vij et al. disclose wherein the processor is further adapted to allow monitoring of the data communications (col. 8 lines 22-50).

For claim 18, Vij et al. disclose wherein receiving the management communications comprises receiving one or more communications selected from a group of communications that includes updated system information, modified system programming, information concerning association with the mobile units, data for use by access points, and software for use by access points (col. 8, lines 48-58).

For claim 19, Vij et al. disclose monitoring the wireless data communication using the second wireless data communications protocol (col. 8, lines 22-50).

For claim 20, Vij et al. disclose wherein the at least one processor is further allows monitoring the data communications using the second wireless data communications protocol (col. 8, lines 22-50).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vij et al. (US 6,452,910) in view of Shoobridge et al. (US 6,326,926).

For claims 3 and 5, Vij et al. do not expressly disclose wherein the first wireless communications protocol is an 802.11 Protocol and the second wireless communications protocol is Bluetooth. In an analogous art, Shoobridge et al. disclose wherein the first wireless communications protocol is an 802.11 Protocol and the second wireless communications protocol is Bluetooth (figure 2, col. 5, lines 64-67).

Shoobridge et al. disclose wherein said second wireless communications protocol is Bluetooth (col. 5, lines 64-67 as set forth in claim 5).

One skilled in the art would have recognized the wherein the first wireless communication protocol is an 802.11 Protocol and the second wireless communications protocol is Bluetooth, and would have applied Shoobridge et al.'s cellular communication system 50 in Vi et al.'s PAN/LAN system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Shoobridge et al.'s method of operating a wireless and a short-range wireless connection in the same frequency in Vij et al.'s bridging apparatus for interconnecting a wireless PAN and

a wireless LAN with the motivation being to provide a cellular communication system 50 employing the Bluetooth standard and a local area network (LAN) 52 (col. 5 lines 64-67).

For claim 4, Vij et al. disclose authenticating said management communications (col. 11, lines 5-6).

For claim 6, Vij et al. disclose associating said radio module as a slave unit (col. 8, line 6).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TOAN D. NGUYEN whose telephone number is (571)272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/T. D. N./

Examiner, Art Unit 2616

/FIRMIN BACKER/

Supervisory Patent Examiner, Art Unit 2616